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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,274	06/06/2001	Srinivasan Gopalasamy	19100-05532	8809
5514	7590	12/01/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SAFAIPOUR, HOUSHANG	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/876,274

Applicant(s)

GOPALASAMY, SRINIVASAN

Examiner

Houshang Safaipour

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2 and 5-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito et al. (U.S. Patent No. 6,208,426).

Regarding claim 1, Saito et al. discloses a computer-implemented method for converting a paper document to an electronic document and sending the electronic document to at least one destination, said method comprising the steps of: sending commands, from a server computer to a sending computer with a connected scanner, that control the sending computer to scan the paper document, generate the electronic document, and send the electronic document to the server computer; receiving the electronic document at the server computer; and sending the electronic document to a destination (fig. 1, col. 4 line 18 through col. 5 line 25).

Regarding claim 2, Saito et al. discloses the method of claim 1, further comprising the step of sending, from the server computer to the sending computer, software for enabling the server computer to control the sending computer by sending the commands (fig. 1).

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Regarding claim 5, Saito et al. discloses the method of claim 1, further comprising the step of receiving at the server computer from the sending computer the identity of the destination (fig. 1, col. 4 line 18 through col. 5 line 25).

Regarding claim 6, Saito et al. discloses the method of claim 1, wherein the destination is a document repository (col. 4, lines 47-64).

Regarding claim 7, Saito et al. discloses the method of claim 6, further comprising the steps of:

receiving at the server computer from the sending computer archiving information for identifying the electronic document in the document repository; and storing the archiving information with the electronic document in the document repository (col. 5, lines 3-25).

Regarding claim 8, Saito et al. discloses the method of claim 7, wherein the archiving information includes a title of the electronic document (col. 5, lines 3-25).

Regarding claim 9, arguments analogous to those presented for claim 1 are applicable to claim 9.

Regarding claim 10, Saito et al. discloses the method of claim 1, wherein the destination is a printer (fig. 2, col. 4, lines 63-64).

Regarding claim 11, Saito et al. discloses the method of claim 10, further comprising the steps of:

receiving at the server computer from the sending computer an identity of the printer; and sending to the printer the electronic document and commands to control the printer to print a paper copy of the electronic document (fig. 2, col. 4, lines 63-64).

Regarding claim 12, Saito et al. discloses the method of claim 1, wherein the destination

is an electronic mail address (col. 5, lines 3-25).

Regarding claim 13, Saito et al. discloses the method of claim 12, further comprising the steps of:

receiving at the server computer from the sending computer an electronic mail address; and sending a message to the electronic mail address, the message including the electronic document (col. 11, lines 1-44).

Regarding claim 14, Saito et al. discloses the method of claim 1, wherein the destination is a fax machine (col. 12, lines 25-28).

Regarding claim 15, Saito et al. discloses the method of claim 14, further comprising the steps of receiving at the server computer from the sending computer a fax machine telephone number; and

sending to the fax machine the electronic document (col. 12, lines 25-28).

Regarding claims 16 and 17, arguments analogous to those presented for claim 1 are applicable to claims 16 and 17.

Regarding claims 18-21, arguments analogous to those presented for claims 10, 12, 6 and 14 are applicable to claims 18-21 respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (U.S. Patent No. 6,208,426).

Regarding claims 3 and 4, scanning each of the plurality of pages to generate an electronic representation for each page and generating the electronic document in PDF format are well known and routinely implemented in the art. Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have this feature added to Saito's facsimile communication system.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (703)306-4037. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor
Patent Examiner
Art Unit 2622
November 18, 2004


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